

The Greenville County Planning Commission meeting was held Tuesday, March 12, 2019, 6:00 P.M., at the Greenville County Government Center, 1781 Greenville County Circle, Emporia, Virginia.

PRESENT

Walter Robinson, Chairman
Jeff Robinson, Vice-Chairman
Lofton Allen
Stephen Allen
Joe Antorn, Jr.
William Cain
Annie Odom
Kim Wiley

ABSENT

Dianne Barnes-Rhoades

STAFF PRESENT

Linwood E. Pope, Jr.
Darren Coffey
Treva Pernell

OTHERS PRESENT

Dave Stoner – Clearway Energy	Julia Pair
Caitlyn McLaughlin	Allen Little
Penny Wrenn Powell	Amy Lifsey
Belle Blake Patterson	Jim Ferguson
Benny Ligon	Sheila Ferguson

Vice-Chairman Robinson called the meeting of Tuesday, March 12, 2019 to order. He called on Commissioner Jeff Robinson to offer prayer.

Mr. Lin Pope, the secretary, called the roll.

In Re: APPROVAL OF THE AGENDA

Chairman Robinson entertained a motion for approval of the agenda. Commissioner Stephen Allen made the motion, seconded by Commissioner Wiley, with all voting aye, motion carried.

In Re: APPROVAL OF THE MINUTES

Chairman Robinson entertained a motion for approval of the minutes of February 12, 2019. Commissioner Odom stated that a resident that addressed the Commission was identified as Millie Lee in the minutes, in fact, should be Lille Lee. Commissioner Kim Wiley made a

motion to approve the corrected minutes, seconded by Commissioner Stephen Allen, with all voting aye, motion carried.

Chairman Robinson entertained a motion to go into Public Hearing. Commissioner Stephen Allen made the motion, seconded by Commissioner Odom, with all voting aye, to go into Public Hearing.

In Re: PUBLIC HEARING

SP-2-19 – Fountain Creek Solar

Mr. Pope stated that Fountain Creek Solar was requesting that the Planning Commission approve a Special Use Permit application for their proposed construction of an 80 megawatt solar facility in an A-1 Zoning District located on Brink Road bound by Fish Road, Fountain Creek Road and adjacent farmland approximately 8 miles southwest of Emporia.

Mr. Darren Coffey gave an overview of the Staff Report and stated that the Planning Commission had previously reviewed the request for determination under Virginia Code Section 15.2-2232 and that the proposed location appears to be in accord with the land use goals and objectives set forth in the Comprehensive Plan.

Mr. Coffey stated that the Planning Commission must now evaluate the merits of the Special Use Permit application and determine if the proposed conditions sufficiently mitigate any associated impacts from the projects and meet the County's conditional planned use development criteria as set forth in the Zoning Ordinance.

Mr. Coffey stated that the proposed project would be situated on two parcels consisting of a total of approximately 802 acres. He stated that the solar panels would cover about 595 acres and the site currently consists of fields, farm paths, wooded areas and natural wetlands. He also stated that the project includes a 2.2 mile interconnection transmission line through similar terrain that would affect six (6) additional parcels.

Mr. Coffey stated that the facility would be connected to Dominion Energy at their grid at a new interconnection point that is an approximate two (2) acre parcel. He stated that the interconnection switch yard would be approximately 200' x 200'. It will be fenced and include transmission structures not exceeding 75' in height.

Mr. Coffey stated that the Planning Commission must determine if the solar facility is appropriate in the proposed location. He stated that the Commission needed to determine if the use permitted would have a detrimental influence to the surrounding neighborhood.

Mr. Coffey stated that a Special Use Permit should not be issued unless the proposed use would not be detrimental to the community and that it is in accordance with the County's Comprehensive Plan.

Mr. Coffey gave an overview of the conditions as stated in the Staff report.

Conditions

If the Planning Commission determines that the application furthers the Comprehensive Plan's goals and objectives and that it meets the criteria set forth in the Zoning Ordinance, then staff recommends the following conditions to mitigate the adverse effects of this utility-scale solar generation facility with any recommendation for approval.

1. The Applicant will develop the Solar Facility in substantial accord with the Preliminary Site Plan dated 12/20/18 included with the application as determined by the Zoning Administrator (ZA). Significant deviations or additions, including any enclosed building structures to the Preliminary Site Plan will require review and approval by the Planning Commission and Board of Supervisors.

As used in these conditions, the "Project Site" shall include the "Solar Facilities", the "Gentle Line" and the "Switchyard", as herein after defined. The "Solar Facilities" shall mean the area(s) shown on the Conceptual Site Plan containing racking, panels, inverters and project substation and located within the perimeter fencing, and including all fencing but excluding the Switchyard. The Gentle Line shall mean that portion of the transmission line constructed to connect the Solar Facilities to the existing transmission line owned by Dominion Energy. The Switchyard means the substation to be constructed to interconnect the Transmission Line to the existing transmission line, as shown on the Conceptual Site Plan. The Solar Facilities and the Switchyard shall constitute separate principal uses approved pursuant to this special use permit and shall be permitted to continue in perpetuity, separate and apart from each other, such that a zoning violation occurring with respect to the operation of one of the uses shall not constitute a violation with respect to the operation of the other use, and no proceeding to revoke this permit as to one of the uses (nor any resulting revocation) shall impair the validation of this permit with respect to the other use. This permit shall run with the land.

2. Site Plan Requirements. In addition to all Virginia site plan requirements and site plan requirements of the Zoning Administrator, the Applicant shall provide the following plans for review and approval for the Solar Facility prior to the issuance of a building permit:

a. Construction Management Plan. The Applicant shall prepare a "Construction Management Plan" for each applicable site plan for the Solar Facility, and each plan shall address the following:

i. Traffic control methods (in coordination with the Virginia Department of Transportation [VDOT] prior to initiation of construction): i. Lane closures, ii. Signage, and iii. Flagging procedures.

ii. Site access planning. Directing employee and delivery traffic to minimize conflicts with local traffic.

iii. Fencing. The Applicant shall install temporary security fencing prior to the commencement of construction activities occurring on the Solar Facility project.

iv. Lighting. During construction of the Solar Facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and/or safety lighting shall be exempt from this construction lighting condition.

b. Construction Mitigation Plan. The Applicant shall prepare a "Construction Mitigation Plan" for each applicable site plan for the Solar Facility, and each plan shall address the effective mitigation of dust, burning operations, hours of construction

activity, access and road improvements, and handling of general construction complaints as set forth and described in the application materials and to the satisfaction of the Zoning Administrator.

c. Grading plan. The Project shall be constructed in compliance with the County approved grading plan as determined and approved by the Zoning Administrator or his designee prior to the commencement of any construction activities and a bond or other security will be posted for the grading operations. The grading plan shall:

- i. Clearly show existing and proposed contours;
- ii. Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded;
- iii. Limit grading to the greatest extent practicable by avoiding steep slopes and laying out arrays parallel to landforms;
- iv. An earthwork balance will be achieved on-site with no import or export of soil;
- v. In areas proposed to be permanent access roads which will receive gravel or in any areas where more than a few inches of cut are required, topsoil will first be stripped and stockpiled on-site to be used to increase the fertility of areas intended to be seeded;
- vi. Take advantage of natural flow patterns in drainage design and keep the amount of impervious surface as low as possible to reduce storm water storage needs.

d. Erosion and Sediment Control Plan. The County will have a third-party review with corrections completed prior to submittal for DEQ review and approval. The owner or operator shall construct, maintain and operate the project in compliance with the approved plan. An E&S bond (or other security) will be posted for the construction portion of the project.

e. Stormwater Management Plan. The County will have a third-party review with corrections completed prior to submittal for DEQ review and approval. The owner or operator shall construct, maintain and operate the project in compliance with the approved plan. A storm water control bond (or other security) will be posted for the project for both construction and post construction as applicable and determined by the Zoning Administrator.

f. Project Screening and Vegetation Plan. The owner or operator shall construct, maintain and operate the facility in compliance with the approved plan. A separate security shall be posted for the ongoing maintenance of the project's vegetative buffers in an amount deemed sufficient by the Zoning Administrator.

g. If required by the County, the Final Site Plan will indicate the use of non-galvanized posts and associated costs shall be factored into the decommissioning estimate and security.

h. The Applicant will compensate the County in obtaining an independent third-party review of any site plans or construction plans or part thereof.

- i. The design, installation, maintenance and repair of the Solar Facility in accordance with the most current National Electrical Code (NFPA 70) available (2014 version or later as applicable).

3. Operations.

a. Permanent Security Fence. The Applicant shall install a permanent security fence, consisting of chain link, two-inch square mesh, six (6) feet in height, surmounted by three strands of barbed wire, around the Solar Facility project prior to the commencement of

operations of the Solar Facility. Failure to maintain the fence in a good and functional condition will result in revocation of the permit.

b. Lighting. Any on-site lighting provided for the operational phase of the Solar Facility shall be dark-sky compliant, shielded away from adjacent properties, and positioned downward to minimize light spillage onto adjacent properties.

c. Noise. Daytime noise will be under 67dBA during the day with no noise emissions at night.

d. Ingress/Egress. Permanent access roads and parking areas will be stabilized with gravel, asphalt or concrete to minimize dust and impacts to adjacent properties.

4. Buffers.

a. Setbacks.

i. A minimum 150-foot setback, which includes a 50-foot planted buffer as described below, shall be maintained from a Principal Solar Facility structure to the street line (edge of right-of-way) where the Property abuts any public rights-of-way.

ii. A minimum 150-foot setback, which includes a 50-foot planted buffer as described below, from a Principal Solar Facility structure to any adjoining property line which is a perimeter boundary line for the project area.

iii. "Principal Solar Facility Structure" shall include racking, panels, inverters, and substation equipment on the Project Site, but shall not include security fencing, roads, or transmission poles. There shall be no setbacks between internal lot lines on the Property. Fencing, road and transmission poles shall be permitted in the setback(s).

iv. A minimum 35-foot setback shall be maintained from fencing and equipment in the Switchyard to any adjoining property line which is a perimeter boundary line for the parcel to be subdivided for Switchyard use, but transmission poles shall be permitted in the setback(s).

v. Notwithstanding the foregoing, no setback(s) shall apply to the Transmission Line.

b. Screening. Screening. A minimum 50-foot vegetative buffer (consisting of existing trees and vegetation) shall be maintained on the outside portion of the 150' setback required in No. 4a, above (adjacent to the road right-of-way or property boundary). The Applicant shall submit, prior to issuance of a building permit, a Timber Preservation Agreement with property owners demonstrating their commitment that the existing vegetation comprising this buffer shall remain in place during the life of the Solar Facilities. If there is no existing vegetation or if the existing vegetation is inadequate to serve as a buffer as determined by the Zoning Administrator, a triple row of trees/shrubs will be planted on approximately 10-foot centers in the 25 feet immediately adjacent to the on the outside portion of the 150' setback required in No. 4a, above (adjacent to the road right-of-way or property boundary). New plantings of trees and shrubs shall be approximately 6 foot in height at time of planting. In addition, pine seedlings will be installed in the remaining 25 feet of the 50-foot buffer. Ancillary project facilities may be included in the buffer as described in the application where such facilities do not interfere with the effectiveness of the buffer as determined by the Zoning Administrator.

c. Wildlife corridors. The Applicant shall identify an access corridor for wildlife to navigate through the Solar Facility. The proposed wildlife corridor shall be shown on the

site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.

5. Height of Structures. Solar facility structures shall not exceed 10', or 13' maximum (with a 10' maximum drip edge) as noted on the site plan and not closer than 300' to the security fence. Towers constructed for electrical lines may exceed the maximum permitted height as provided in the A1 zoning district regulations (§16-2), provided that no structure (excluding the Gentie Line or components within the project substation or Switchyard) shall exceed the height of 25 feet above ground level.
6. Inspections. The Applicant will allow designated County representatives or employees access to the facility at any time for inspection purposes as set forth in their application.
7. Training. The Applicant shall arrange a training session with the Greenville Fire Department to familiarize personnel with issues unique to a solar facility before operations begin.
8. Compliance. The Solar Facility shall be designed, constructed, and tested to meet relevant local, state, and federal standards as applicable.
9. Decommissioning.
 - a. Decommissioning Plan. The Applicant shall submit a decommissioning plan to the County for approval in conjunction with the building permit. The purpose of the decommissioning plan is to specify the procedure by which the Applicant or its successor would remove the Solar Facility after the end of its useful life and to restore the property for agricultural uses.
 - b. Decommissioning Cost Estimate. No decommissioning cost estimate has been provided at this time. The decommissioning plan shall include a decommissioning cost estimate prepared by a Virginia licensed professional engineer.
 - i. The cost estimate shall provide the gross estimated cost to decommission the Solar Facilities in accordance with the decommissioning plan and these conditions. The decommissioning cost estimate shall not include any estimates or offsets for the resale or salvage values of the Solar Facilities equipment and materials.
 - ii. The Applicant, or its successor, shall reimburse the County for an independent review and analysis by a licensed engineer of the initial decommissioning cost estimate.
 - iii. The Applicant, or its successor, will update the decommissioning cost estimate every five (5) years and reimburse the County for an independent review and analysis by a licensed engineer of each decommissioning cost estimate revision.
 - c. Security.
 - i. Prior to the County's approval of the building permit, the Applicant shall provide decommissioning security in one of the two following alternatives:
 1. Letter of Credit for Full Decommissioning Cost: A letter of credit issued by a financial institution that has (i) a credit Rating from one or both of S&P and Moody's, of at least "A" from S&P or "A2" from Moody's and (ii) a capital surplus of at least \$10,000,000,000; or (iii) other credit rating and capitalization reasonably acceptable to the County, in the full amount of the decommissioning estimate; or
 2. Tiered Security:
 - a. Ten percent (10%) of the decommissioning cost estimate to be deposited in a cash escrow at a financial institution reasonably acceptable to the County; and

- b. Ten percent (10%) of the decommissioning cost estimate in the form of a letter of credit issued by a financial institution that has (i) a credit rating from one or both of S&P and Moody's, of at least "A" from S&P or "A2" from Moody's and (ii) a capital surplus of at least \$10,000,000,000, or (iii) other credit rating and capitalization reasonably acceptable to the County, with the amount of the letter of credit increasing by an additional ten percent (10%) each year in years 2-9 after commencement of operation of the Solar Facility; and c. Clearway Energy, not the Applicant, will provide its guaranty of the decommissioning obligations. The guaranty will be in a form reasonably acceptable to the County. Clearway Energy, or its successor, should have a minimum credit rating of (i) "Baa3" or higher by Moody's, or (ii) "BBB-" or higher by S&P; and d. In the tenth year after operation, the Applicant will have increased the value of the letter of credit to one hundred percent (100%) of the decommissioning cost estimate. At such time, the Applicant may be entitled to a return of the ten percent (10%) cash escrow.
- ii. Upon the receipt of the first revised decommissioning cost estimate (following the 5th anniversary), any increase or decrease in the decommissioning security shall be funded by the Applicant, or refunded to Applicant (if permissible by the form of security), within ninety (90) days and will be similarly trued up for every subsequent five year updated decommissioning cost estimate.
- iii. The security must be received prior to the approval of the building permit and must stay in force for the duration of the life span of the Solar Facilities and until all decommissioning is completed. If the County receives notice or reasonably believes that any form of security has been revoked or the County receives notice that any security may be revoked, the County may revoke the special use permit and shall be entitled to take all action to obtain the rights to the form of security.
- iv. Notwithstanding the foregoing, if a public utility company that is operating in the Commonwealth of Virginia and has an investment grade credit rating with Moody's and/or Standard and Poor's enters into an agreement to acquire the Project prior to or contemporaneously with the start of construction of the Project, no security shall be required to be issued for so long as the utility company owns the project and its credit rating remains at or above investment grade. Notwithstanding the foregoing, an alternative security may be accepted by the County so long as it is a form acceptable to the County Attorney.
- d. Applicant/Property Owner Obligation. Within six (6) months after the cessation of use of the Solar Facilities for electrical power generation or transmission, the Applicant or its successor, at its sole cost and expense, shall decommission the Solar Facilities in accordance with the decommissioning plan approved by the County. If the Applicant or its successor fails to timely decommission the Solar Facilities, the property owners shall commence decommissioning activities in accordance with the decommissioning plan. Following the completion of decommissioning of the entire Solar Facilities arising out of a default by the Applicant or its successor, any remaining security funds held by the County shall be distributed to the property owners in a proportion of the security funds and the property owner's acreage ownership of the Solar Facility.
- e. Applicant/Property Owner Default; Decommissioning by the County.
- i. If the Applicant, its successor, or the property owners fail to timely decommission the Solar Facilities, the County shall have the right, but not the obligation, to commence decommissioning activities and shall have access to the

property, access to the full amount of the decommissioning security, and the rights to the Solar Facilities equipment and materials on the property.

ii. If applicable, any excess decommissioning security funds shall be returned to the current owner of the property after the County has completed the decommissioning activities.

iii. Prior to the issuance of any permits, the Applicant and the property owners shall deliver a legal instrument to the County granting the County (1) the right to access the property, and (2) an interest in the Solar Facilities equipment and materials to complete the decommissioning upon the Applicant's and property owner's default. Such instrument(s) shall bind the Applicant and property owners and their successors, heirs, and assigns. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the Applicant, including under the County's zoning powers.

f. Equipment/building removal. All physical improvements, materials, and equipment related to Solar Facilities, both surface and subsurface components, shall be removed in their entirety. The soil grade will also be restored following disturbance caused in the removal process. Perimeter fencing will be removed and recycled or re-used. Where the current or future landowner prefers to retain the fencing, these portions of fence would be left in place.

g. Infrastructure removal. All access roads will be removed, including any geotextile material beneath the roads and granular material. The exception to removal of the access roads and associated culverts or their related material would be upon written request from the current or future landowner to leave all or a portion of these facilities in place for use by that landowner. Access roads will be removed within areas that were previously used for agricultural purposes and topsoil will be redistributed to provide substantially similar growing media as was present within the areas prior to site disturbance.

h. Reforestation. The site will be replanted with pine seedlings to stimulate pre-timber pre-development conditions as indicated on the Preliminary Site Plan. The exception to reforestation would be upon written request from the current or future landowner indicating areas where reforestation is not desired.

i. Partial Decommissioning. If decommissioning is triggered for a portion, but not the entire Solar Facilities, then the Applicant or its successor will commence and complete decommissioning, in accordance with the decommissioning plan, for the applicable portion of the Solar Facilities; the remaining portion of the Solar Facilities would continue to be subject to the decommissioning plan. Any reference to decommissioning the Solar Facilities shall include the obligation to decommission all or a portion of the Solar Facilities whichever is applicable with respect to a particular situation.

10. Power Purchase Agreement. At the time of the Applicant's site plan submission, the Applicant shall have executed a power purchase agreement with a third-party providing for the sale of a minimum of eighty percent (80%) of the Solar Facility's anticipated generation capacity for not less than ten (10) years from commencement of operation, or an agreement for purchase of the project by an electric utility or electric cooperative operating in the Commonwealth of Virginia. Upon the County's request, the Applicant shall provide the County and legal counsel with a redacted version of the executed power purchase agreement.

Mr. Coffey stated that the Commission can approve, deny or defer their decision. He asked if there were any questions he might address.

Commissioner Cain asked when the Comprehensive Plan was changed.

Mr. Pope stated that the Comprehensive Plan is updated every five years as mandated by the State. He stated that some minor changes were made in 2016.

Mr. Coffey stated that the Planning Commission had determined in the 2232 Review in December 2018 that this project was substantially in accordance with the County's Comprehensive Plan. He stated that a vote was taken with the following results:

AYE

Commissioner Walter Robinson
Commissioner Lofton Allen
Commissioner Jeff Robinson
Commissioner Stephen Allen
Commissioner Diane Barnes-Rhoades
Commissioner Annie Odom
Commissioner Kim Wiley

NAY

Commissioner William Cain
Commissioner Joe Antorn

Vice-Chairman Robinson stated that with the majority voting AYE, the motion carried.

Commissioner Cain stated that there was nothing in the staff report concerning lead or cadmium. His research stated that cadmium is a known carcinogen.

Mr. Coffey stated that there are no exposed hazardous materials or any hazardous materials that he was aware of in these facilities.

Commissioner Cain stated that his research showed that solar panels contain these hazardous materials. He stated that he was concerned for the citizens of Greenville County.

Mr. Coffey stated the literature that he had reviewed for those facilities showed that they are not a land use issue.

Commissioner Jeff Robinson asked about the performance bonds being above and beyond normal operating procedures.

Mr. Coffey stated that erosion and sediment control, grading, stormwater, etc. that is standard operating procedure. He stated that what was not normal is the form of security for the decommissioning plan for this type of facility.

Commissioner Robinson asked about the power purchase agreement.

Mr. Coffey stated that each locality wants some assurance that they are not approving a facility that is speculative. That there is a buyer for this power once the facility is up and running.

Commissioner Lofton Allen asked about the use of galvanized metal posts.

Mr. Coffey stated that if galvanized metal posts are an issue then non-galvanized should be used. He stated that galvanized posts can leech zinc into the soil and peanut crops are sensitive to zinc, however if these facilities are used for 20 to 30 years, it is possible peanuts would not be grown on this property again.

Mr. David Stoner, Clearway Energy, addressed the Commission and stated that he and Caitlyn McLaughlin would present their information about the Fountain Creek Solar Project.

Ms. McLaughlin gave an overview of Clearway Energy Group and the proposed Fountain Creek Solar Project. She stated that it was much of the same information she presented during the 2232 Review.

Mr. Stoner stated that there were other concerns raised during the 2232 Review that he wanted to address. He stated that impact to property values had been addressed by Kirkland Appraisers from Richmond, VA. He stated that they have looked at 38 solar sites across Virginia. He further stated that Kirkland had stated that solar farms have no impact on adjacent property values or use.

Mr. Stoner stated that another issue of concern was zinc in the galvanized materials used for posts systems. He stated that Clearway made two studies that both stated that it was highly unlikely that the zinc in these galvanized metal posts would create any zinc toxicity.

Mr. Stoner stated that they were complying with all setbacks, buffers, wildlife corridors and wetlands corridors as specified in the conditions.

Mr. Stoner stated that, as a partner in the community, Clearway is interested in educating the community about clean solar power energy by possibly sponsoring a kiosk located somewhere in the area that would showcase information about solar energy and solar education.

Chairman Robinson thanked Mr. Stoner for his presentation and asked if anyone in attendance wanted to address the Commission.

Penny Wrenn Powell addressed the Commission and stated that her family owned property in this area and requested that they approve the Special Use Permit for the Fountain Creek Solar Project.

Belle Blake Patterson addressed the Commission and stated that her family owned property involved in this project. She stated that she believes this project is a non-toxic use of the land that can be restored at the end of the project to crops and timberland. She also stated that she was in favor of this Fountain Creek Solar Project.

Benny Ligon addressed the Commission and stated that he believes the materials involved in manufacturing solar panels are highly toxic. He stated that when these panels are new they are ok but when they age and crack or break that is when the problems start.

Mr. Ligon stated that he has a question concerning what the Commission considers as "detrimental" and the definition as related to these solar projects.

Mr. Ligon stated that there was language in the last two projects' staff reports concerning "the project would increase the concentration of utility scale solar facilities in the Brink section of the county impacting the rural character of that region". He asked why that same language had not shown up in this current staff report.

Julia Pair addressed the Commission on behalf of the Eddie Pair Estate. She stated that this proposed project would be located directly across from her property. She stated that she was present during the 2232 Review of this project and requested that she receive information concerning this matter. She also stated that she was very concerned about drainage that is coming onto her property from the proposed project site across the road.

Mr. Pope stated that he would contact Mrs. Pair and VDOT concerning her drainage issue.

Allen Little addressed the Commission with a question about a story he had heard about a large fire in an area of an existing solar farm and the fire department not being allowed to enter the site because they were not trained for this situation. He stated that he was concerned because one of these projects had been approved to be located across the road from his property. He asked if our local fire department had been approached about the training needed for a situation like a large fire involving a solar facility.

Mr. Pope stated that the Fire Department had not been contacted at this point.

Commissioner Wiley stated that there was information in the materials provided by the staff and the applicant concerning proper training of the Fire Department.

Mr. Pope stated that when all the applications were approved locally and by the State, at that time is when a conversation with the local Fire Department would take place.

Amy Lifsey addressed the Commission. She stated that her family property is part of the proposed site for this project. She stated that land owners should be able to do what they want to do with their own land.

Jim Ferguson addressed the Commission and stated that he would be providing part of the right-of-way for the power line from the solar site to Cattail Creek where the Dominion power line grid is located. He stated that this project is well planned. He stated that zinc is a necessary element in crop production but too much is toxic. He stated that the answer to this is monitoring the levels of ph in the soil.

Mr. Ferguson requested that the Commission approve the applicant's request for this Special Use Permit and pass the project on to the Board of Supervisors.

Sheila Ferguson addressed the Commission and stated that she was in favor of this proposed project and thought it was a good, clean energy source that would be beneficial to the County.

Chairman Robinson asked if there were any other questions or comments. Being no further comments, he asked for a motion to go back into regular session.

Commissioner Stephen Allen made a motion, Commissioner Robinson seconded, motion carried to return to regular session.

In Re: REGULAR SESSION

Chairman Robinson entertained a motion concerning SP-2-19 Fountain Creek Solar Project. He stated that there were three options; approve, deny or defer the decision.

Commissioner Cain made a motion to defer the decision with a second by Commissioner Odom.

Commissioner Robinson stated that he believes this is a perfect solar project and is the most remote of the three that had been heard. Each one of the commissioners had done their due diligence and had done their own research. He stated that he saw no reason to defer this decision.

Chairman Robinson asked for a **vote to defer** the decision with the following outcome:

AYE
Commissioner Antorn
Commissioner Cain
Commissioner Odom

NAY
Commissioner Lofton Allen
Commissioner Steve Allen
Commissioner Jeff Robinson
Chairman Walter Robinson
Commissioner Wiley

Chairman Robinson stated that the vote to defer did not carry therefore the floor was open for another motion to approve or deny the applicant's request for a Special Use Permit.

Commissioner Wiley made a motion that the Fountain Creek Solar, LLC's proposed 80-megawatt photovoltaic solar energy facility as described in SP-2-19, sufficiently mitigates adverse impacts associated with the project if approved with the conditions as outlined herein and recommended by the Planning Commission, seconded by Commissioner Jeff Robinson.

Chairman Robinson asked for a **vote to approve** the decision with the following outcome:

AYE
Commissioner Lofton Allen
Commissioner Steve Allen
Commissioner Jeff Robinson
Chairman Robinson
Commissioner Wiley

NAY
Commissioner Antorn
Commissioner Cain
Commissioner Odom

Chairman Robinson stated that the vote to approve SP-2-19 Fountain Creek Solar carried with a vote of five AYE's and three NAY's. He stated that this decision would be forwarded to the Board of Supervisors.

In Re: OTHER MATTERS

Mr. Pope stated that all Commissioners should have received their financial disclosure statements from Denise Banks. He stated that if their statements had not been turned into Ms. Banks, please do so as soon as possible. He stated that anyone who served on a public board is required to submit a financial disclosure statement to assure that they do not have a conflict of interest.

Mr. Pope stated that there was a tentative date of Tuesday, March 26, 2019 scheduled for a workshop for the Board of Supervisors, Planning Commissioners and Staff to discuss the Comprehensive Plan and Solar Facilities.

Mr. Coffey suggested that two hours be allocated for the workshop meeting.

In Re: ADJOURNMENT

Motion to adjourn by Commissioner Stephen Allen, seconded by Commissioner Lofton Allen, with all voting aye, meeting was adjourned.

A handwritten signature in black ink, appearing to read 'Walter W. Robinson, Jr.', is written over a horizontal line.

Walter W. Robinson, Jr.
Chairman